

Bob McCASLIN

Washington State Senator 4th Legislative District



Dear Friends,

Following a 60-day regular session and 29-day special session, lawmakers continue to work overtime on the state operating and transportation budgets. As of this printing, budget negotiations are ongoing. While I would prefer to have finished our work on time, the important issues being fought over are worth the extra time and effort.

The passage of Initiative 695 played a major role in the budget process. Both the Senate and House of Representatives came out with different approaches to dealing with budget challenges created by I-695's elimination of the motor vehicle excise tax. I supported an amendment late in the special session that would have replaced the Senate budget plan with the House spending proposal.

The Senate Democrats' budget weakened Initiative 601 (our state's spending limit law) by raising the limit. Their proposal is an expensive short-term fix, which could lead us to potentially harmful budget cuts or tax increases in the future. As of this printing, Senate and House budget negotiators are working on a compromise that keeps us on a fiscally sound path and allows us to address local public safety needs both immediately and over the long term.

As for the transportation budget, several highway projects along Interstate 90 and Highway 27 were slated to receive funding if the overall budget amount was similar to the Senate and House spending plans approved during the regular session.

While lawmakers had to go into overtime because of budget differences, we managed to complete work on some other important issues. We approved a bill that should improve the individual health insurance market in Washington, as well as a Patients Bill of Rights measure.

These and other issues are discussed in greater detail in the newsletter.

Please don't hesitate to contact me if you have a question or concern about state government, or if you have an idea for legislation. You can contact me via mail, phone or e-mail, or you can send me a message via the toll-free Legislative Hotline at 1-800-562-6000.

It continues to be an honor and privilege to serve as your state senator.

Sincerely,

Bob McCaslin

P.S. Along with the newsletter, I've enclosed a letter from Sen. Bob Morton about the recent sale of the Loomis Forest in north central Washington. I feel this is an important issue, so I wanted you to be aware of it.

2000 Legislative Session Review

Committee Assignments:

- Judiciary, ranking Republican
- State & Local Government

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2000 Session Review

Funding for local communities hinges on budget talks

Budget negotiations between the evenly divided House and the Democrat-controlled Senate continued well beyond the 60-day regular session. Republicans and Democrats in the House, who share control with a 49-49 split, managed to reach an agreement during the recent special session and approve a compromise budget with overwhelming bipartisan support. Unfortunately, Senate Democrats did not support the proposal.

The House plan meets my priorities of providing meaningful ongoing funding for transportation and local public safety, including police, fire protection and criminal justice, all of which faced funding cuts in the wake of Initiative 695. The House budget demonstrates that lawmakers can respond to the tax-cut initiative in a fiscally responsible manner while protecting services most important to citizens.

However, Democrat budget writers in the Senate are insisting instead on an expensive short-term fix that places taxpayers at risk and fails to ensure sustainable funding in future budgets for important services. I remain hopeful the Legislature will take a visionary approach and address public safety and transportation needs on a long-term, fiscally responsible basis.

(To receive budget information after negotiations have been finalized, please call the Legislative Hotline or write or e-mail my Olympia office.)

Patients Bill of Rights legislation becomes law

The Legislature and the governor approved a measure giving patients greater choices and input. Under Senate Bill 6199:

- Patients have the right to sue their health insurance carriers.
- The privacy of a patient's health care records is protected.
- An independent review process will be created to review coverage denials, modifications or a reduction in a patient's benefits or costs.
- Carriers must fully disclose plan information including benefits, cost, limitations and appeal processes.
- Carriers must provide an adequate number of choices so patients are able to choose doctors they trust.
- Patients can't be denied direct access to chiropractic care, access to a second opinion or timely referrals to a specialist.



Sen. McCaslin (middle) discusses legislative issues with other senators.

Transportation projects await funding

Money for many local highway improvements is on hold while lawmakers decide how to restore funding for transportation that was lost due to I-695. I support an ongoing funding solution that allows us to embark on a long-term transportation improvement plan for our state. Our local economy and quality of life depend on our ability to maintain mobility and safety on our highways. A short-term funding fix will not get the job done.

House and Senate transportation budget negotiators were pretty much in agreement about the highway projects listed in the competing proposals. The problem was how to fund them. I believe that a long-term plan using bonding is the best approach. Here is a list of Spokane Valley highway projects that could be included in the budget if the House and Senate agree to the same level of funding that each chamber proposed during the regular session:

Interstate 90:

- Sprague Avenue to Argonne Road
- Evergreen Road interchange
- Harvard Road interchange westbound off-ramp
- Pines Road to Sullivan Road
- Argonne Road to Pines Road

Highway 27:

- I-90 to Highway 290
- Pines Road interchange on-ramp safety improvements
- Freeman to 32nd Avenue

Highway 395:

- North Spokane corridor/freeway
- Hawthorne Road to Highway 2

2000 Session Review

Individual health insurance market bill signed into law

Getting an individual health insurance policy in our state has been virtually impossible in the past year or two. Prior to the enactment of the 1993 Health Services Act, 19 insurance companies competed in Washington for the individual market. However, our state's current regulatory structure has forced almost all major individual health carriers out of the state. Today there are only three, and none of them offers individual coverage to new enrollees in 32 of the state's 39 counties, including Spokane County. Roughly 600,000 people in Washington have no health insurance, many of them in Eastern Washington.

With the individual market in danger of becoming extinct, the Legislature committed itself to fixing the individual market this session.

The result is Senate Bill 6067, recently signed into law by the governor. This measure, which received strong bipartisan support in both the House and Senate, is a major victory for families. This bill:

- Lengthens the waiting period for pre-existing conditions from three months to nine months under individual and small group plans.
- Provides credit on the waiting period if a person currently holds insurance and is following his or her doctor to a new plan, moving to a new area, or changing to a plan with equal or lesser benefits.
- Under individual comprehensive plans, maternity benefits and an annual \$2,000 worth of prescription drug benefits must be provided. Prenatal care has no waiting period. Delivery is subject to the nine-month waiting period.

\$30 license tab fees here to stay

Three months after Washington voters approved I-695, which replaced the motor vehicle excise tax with a flat annual \$30 fee, a King County Superior Court judge ruled the initiative unconstitutional. Rather than wait to see how the state Supreme Court will rule on the expected appeal, the Legislature chose to make the \$30 license tab fee a state law. Senate Bill 6865 received strong bipartisan support, as legislators agreed with the majority of state voters that the unpopular tax shouldn't be brought back. The measure was signed into law by Gov. Locke.

Legislature reaches agreement on unemployment insurance bill

This year the Legislature helped broker a compromise between business and labor on the unemployment insurance bill, also known as the "Boeing Bill." House Bill 3077 establishes a training benefits program for qualified dislocated workers to receive additional unemployment insurance benefits for up to 52 weeks, including their regular UI benefits, while they are in retraining and making satisfactory progress toward completing their training plan. Qualified dislocated aerospace, timber and fin fish workers are eligible for up to 74 weeks of benefits, including their regular benefits. The bill also provides tax relief for employers by freezing the taxable wage base for figuring an employer's UI rate at the 1999 level, thus avoiding an automatic rate increase.

Criminal sentencing bill signed into law

Gov. Locke signed a bill specifying the effect that changes in law will have on criminal sentencing provisions. Under this measure, any sentence imposed under the Sentencing Reform Act is determined using the law in effect when the current offense was committed. I prime-sponsored Substitute Senate Bill 6182, which was passed unanimously in both the House and Senate this session. I decided to introduce the bill following the state Supreme Court case *State v. Cruz*. Prior to the case, the Legislature amended the Sentencing Reform Act to stop sex offenses from being disregarded or "washed out" in subsequent crimes committed by someone. In *State v. Cruz*, the court held that the 1990 amendment applies prospectively only, meaning that previously washed out convictions were not revived by that amendment. My bill ensures sex offenses committed prior to 1990 will be counted in all future sentencing.

Testing for new teachers becomes law

Good teachers are the foundation of a good education. Teachers should be required to demonstrate their mastery of the subjects they teach, since students' success largely depends on teachers' knowledge and skills.

With that in mind, the Legislature approved a bill (HB 2760) that requires prospective teachers to pass a test demonstrating their mastery of the subject they plan

(Continued on next page)

2000 Session Review

(Continued from previous page)

to teach before entering the classroom as a certified teacher. The measure, signed into law by the governor, also requires college students to pass a uniform basic skills test before they can be admitted to a teacher-training program, and creates a new Professional Educator Standards Board to develop and administer the new tests.

The new, basic skills test for students seeking entry to teacher-training programs will become mandatory Aug. 1, 2002. Those seeking certification to teach in state classrooms will be required to pass tests in their chosen subjects beginning Sept. 1, 2003.



Vehicle license plates might not need to be replaced so often after all

If you have a good license plate that reflects well and is still readable, why replace it? With that in mind, I introduced a measure (SB 6304) to repeal the law directing the Department of Licensing (DOL) to provide for the replacement of license plates on a regular basis. DOL had selected a seven-year cycle. (In addition, all Washington license plates are supposed to have a standard background by 2001.) My bill unanimously passed the Senate but failed to move to the House because of legislative deadlines. However, language for the bill was included in the Senate transportation budget. It is unknown if the final transportation budget will include such language.

Under state law enacted in 1987 (RCW 46.16.240), it is unlawful for an individual to have a plate that has become illegible. As a result, the State Patrol has the authority to issue a citation for an illegible plate and require the driver to get a new plate.

Hit-and-run penalties toughened

Hit-and-run drivers will face more jail time under a measure signed into law. SSB 6071, passed unanimously by the House and Senate, stiffens penalties for hit-and-run drivers when such an accident results in a death — making the offense a level eight Class B felony. That level of crime carries with it up to a 12-year jail sentence. While the maximum jail sentence only applies to people with significant prior offenses, the minimum jail sentence of 21 months applies to first-time offenders.

Under prior law, a hit-and-run that resulted in a death was treated the same as one resulting in any bodily injury. This type of crime is a Class C felony, with penalties ranging from no jail time up to five years (depending on an offender's criminal history), plus a fine of up to \$10,000.

Intermediate drivers' licenses for teenagers created

Teenage drivers who acquire a driver's license will face tighter restrictions under a measure passed by the Legislature and signed into law. Senate Bill 6264 establishes a graduated licensing system that includes a mandatory six-month learner's permit followed by an intermediate licensing period. During this licensing period, teenage drivers can't drive between midnight and 5 a.m. unless they are accompanied by a parent or guardian or are driving for agricultural purposes. Except for immediate family members, no passengers may ride with a teenage driver during the first six months of the licensing period. After six months, up to three passengers may ride with a teenage driver. If a beginning driver commits a traffic infraction, the court can waive the fine as allowed, and direct the driver to obtain two more hours of training at his or her own expense.